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By: Printed: D. Ellis

21906 U.S. PTO
10/611474
06/30/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.53(b)

Mail Stop: Patent Application
Commissioner for Patents
P.O. Box 1450, Alexandria
Virginia 22313-1450

Dear Sir:

This is a request for filing a **DIVISIONAL** application under 37 CFR 1.53(b) of pending prior application Serial No. 09/639,732, filed on August 15, 2000, entitled MICROARRAY RETRIEVAL UNIT, all of which are incorporated herein by reference.

X	Enclosed is a specification corresponding to the prior application, U. S. Application Serial No. 09/639,732, filed on August 15, 2000, including the oath or declaration as originally signed. The specification does not contain any subject matter that would have been new matter in the prior application.
With regard to the requirement of 37 CFR 1.821(e) which requires that a copy of the Sequence Listing in computer readable form (CRF) be submitted, Applicants state that the paper copy of the Sequence Listing for the instant divisional application is identical with the computer readable form filed with Serial No. [SERIAL NO.], filed [FILING DATE], to which priority is claimed. In accordance with 37 C.F.R. §1.821(e), please use the computer readable form filed with U.S. Application Serial No. [SERIAL NO.] as the computer readable form for the instant divisional application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application.	
Amend the specification by inserting after the title: "This application is a application of U.S. application serial number , filed , all of which applications and patents are hereby incorporated herein by reference."	
X	Cancel in this application original claims 2-5, 7-22 and 24-45 before calculating the filing fee, without prejudice or disclaimer. Applicants submit that these claims were included in the application as filed in the interest of providing notice to the public of certain specific subject matter intended to be claimed, and are being canceled at this time in the interest of reducing filing costs. Applicants expressly state that these claims are not being canceled for reasons related to patentability, and are in fact fully supported by the specification as filed. Applicants expressly reserve the right to reinstate these claims or to add other claims during prosecution of this application or a continuation or divisional application. Applicants expressly do not disclaim the subject matter of any invention disclosed herein which is not set forth in the instantly filed claims.

X	The inventor(s) of the invention being claimed in this application is (are): Eric Rollins, Josh Guyot, JoeBen Bevirt.						
X	The prior application is assigned of record to <u>Incyte Corporation, formerly known as Incyte Genomics, Inc., also formerly known as Incyte Pharmaceuticals, Inc.</u> , recorded on 8/17/2000 , at reel /frame 011123/0798.						
X	<p>The power of attorney of the prior application is to:</p> <p>Gregory Duffy, Reg. No. 42, 501 Mark K. Dickson, Reg. No. 32, 889 Thomas V. Miller, Reg. No. 42,002 Jon Shutter, Reg. No. 41, 311</p> <p>The associate power of attorney in the prior application is to:</p>						
X	The invention was not made by an agency of the United States Government or under a contract with an agency of the United States Government.						
ENCLOSURES							
X	Application Data Sheet (ADS) (<u>3</u> pp.).						
X	Blanket Exemption from Requirements Under § 42 U.S.C. 2182 Letter (1 pg.).						
X	In accordance with 37 CFR 1.63(d), a copy of the originally signed declaration showing applicant's/applicants' signature(s) as filed on (<u>3</u> pp.).						
X	Submission of Formal Drawings (<u>1</u> pp.); and <u>29</u> Sheets of Formal Drawings, including Figures 1, 2A, 2B, 3A, 3B, 3C, 4, 5A, 5B, 5C, 6A, 6B, 6C, 7, 8, 9, 10, 11A, 11B, 12A, 12B, 12C, 12D, 13, 14A, 14B, 14C, 14D, 15, 16, 17, 18, 19, 20A, 20B, 21, 22, 23, 24A, 24B, 24 C, 24D, 25, 26A, 26B).						
X	Information Disclosure Statement (2 pp.); and List of References Cited PTO-1449 (2 pp.).						
X	A new Certification under 37 C.F.R. §3.73(b), Revocation of Power of Attorney and Appointment of New Attorneys (2 pp.).						
X	Petition for Extension of Time under 37 CFR § 1.136(b) (1 pg.).						
CLAIMS AS FILED							
Claims	Number Filed	Minus	Number Extra	Other Than Small Entity Rate Fee		Basic Fee	
						\$	750.00
Total Claims	3	-20	0	x \$18	0	\$	0
Indep. Claims	3	-3	0	x \$84	0	\$	0
Multiple Dependent Claim(s), if any				+ \$280	0	\$	0
Filing Fee:						\$	750.00

FEE CALCULATION AND METHOD OF PAYMENT

The Fee has been calculated as follows:

<input checked="" type="checkbox"/>	Fee for filing a Divisional Application Under 37 CFR 1.16 (a):	\$ 750.00
<input checked="" type="checkbox"/>	Fee for Petition for Extension of Time Under 37 CFR - 1.17(a) - <u>1</u> Mo(s).:	\$ 110.00
<input checked="" type="checkbox"/>	Please charge Deposit Account No. 09-0108 in the amount of :	\$ 860.00

Applicants hereby authorize the Commissioner to treat any concurrent or future reply in this application that requires a petition for an extension of time under 37 CFR 1.136(a) to be timely, as incorporating a petition for extension of time for the appropriate length of time; and to charge all required fees, including fees under 37 CFR 1.16, 1.17, and all required extension of time fees, or to credit any overpayment, to Deposit Account **09-0108**. **This sheet is enclosed in duplicate.**

CORRESPONDENCE ADDRESS (Customer No. 27904)

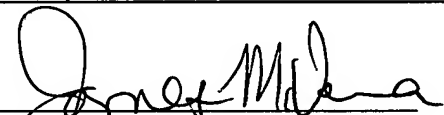
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30 June 2003

By:



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____ Inventor(s).

____ Assignee of complete interest.

☒ Attorney or Agent of record.

____ Filed under 37 CFR 1.34(a), with Limited Recognition under 37 C.F.R. 10.9 (b).

____ Filed under 37 CFR 1.34(a) Registration number if acting under 37 CFR 1.34(a).